### United States District Court

for the

Middle District of North Carolina

FOOD LION, LLC and MARYLAND AND VIRGINIA MILK PRODUCERS COOPERATIVE ASSOCIATION,	) ) )
 Plaintiff(s)	)
v.	) Civil Action No. 1:20-cv-442
DAIRY FARMERS OF AMERICA, INC.,	)
	)
	)
Defendant(s)	)

### **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) DAIRY FARMERS OF AMERICA, INC. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are:

Ryan G. Rich Hunton Andrews Kurth LLP Bank of America Plaza

101 South Tryon Street, Suite 3500

Charlotte, NC 28280

Attorneys for Plaintiff Food Lion, LLC

Jason D. Evans

Troutman Sanders LLP

301 S. College Street, 34th Floor

Charlotte, NC 28202

Attorneys for Plaintiff Maryland and Virginia Milk Producers Cooperative Association

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



May	19,	2020	

Date

Clerk

John S. Brubaker

/s/ Jamie L. Sheets

Deputy Clerk

Civil Action No. 1:20-cv-442

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

This summons for (name	ne of individual and title, if any) Dai	ry Farmers of America, Inc.	
received by me on (date)	May 19, 2020		
☐ I personally served	the summons on the individual at	t (place)	
		on (date)	; or
☐ I left the summons	at the individual's residence or us	sual place of abode with (name)	
	, a person	of suitable age and discretion who res	sides there,
on (date)	, and mailed a copy to the	ne individual's last known address; or	
☐ I served the summo	ns on (name of individual)		, who is
designated by law to a	accept service of process on behal	lf of (name of organization)	
		on (date)	; or
☐ I returned the summ	nons unexecuted because		; or
recei	ved May 26, 2020. See attached	•	company and wa
My fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under penalty	of perjury that this information i	is two	
1 3		is titue.	
	1 3 2	is true.	
June 9, 2020	s/ Ryan G	S. Rich	
June 9, 2020	s/ Ryan G	S. Rich  Server's signature	
June 9, 2020	s/ Ryan G Ryan G. F	S. Rich  Server's signature  Rich, N.C. Bar No. 37015	
June 9, 2020	s/ Ryan G Ryan G. F Counsel f	Server's signature Rich, N.C. Bar No. 37015 For Plaintiff Food Lion, LLC Printed name and title	
June 9, 2020	s/ Ryan G Ryan G. F Counsel f Hunton A 101 Soutl	S. Rich  Server's signature  Rich, N.C. Bar No. 37015  For Plaintiff Food Lion, LLC	

Additional information regarding attempted service, etc:

# **EXHIBIT A**

PROOF OF SERVICE



HUNTON ANDREWS KURTH LLP BANK OF AMERICA PLAZA SUITE 3500 101 SOUTH TRYON STREET CHARLOTTE, NORTH CAROLINA 28280

TEL 704 • 378 • 4700 FAX 704 • 378 • 4890

BARBARA EVERS
DIRECT DIAL: 704 • 378 • 4729
EMAIL: bevers@HuntonAK.com

FILE NO: 074487.0000745

May 20, 2020

### Certified Mail, Return Receipt Requested - Article # 7018 0680 0000 2521 4367

Dairy Farmers of America, Inc. c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808

Re:

Food Lion, LLC, et al. v. Dairy Farmers of America, Inc.,

USDC MDNC Civil Case No.: 1:20-cv-00442

Dear Sir/Madam:

Dairy Farmers of America, Inc., is hereby served with the following:

- 1. Issued Summons to Dairy Farmers of America, Inc.;
- 2. Complaint;
- 3. Appearance of Counsel Ryan G. Rich for Food Lion, LLC;
- 4. Corporate Disclosure Statement of Food Lion, LLC
- 5. Appearance of Counsel A. Todd Brown, Sr. for Food Lion, LLC;
- 6. Appearance of Counsel John S. Martin for Food Lion, LLC;
- 7. Appearance of Counsel Kevin Hahm for Food Lion, LLC;
- 8. Appearance of Counsel Carter C. Simpson for Food Lion, LLC;
- 9. Appearance of Counsel Jason D. Evans for MDVA;
- 10. Corporate Disclosure Statement of MDVA;
- 11. Notice of Right to Consent; and
- 12. List of Mediators.

ATLANTA AUSTIN BANGKOK BEIJING BOSTON BRUSSELS CHARLOTTE DALLAS DUBAI HOUSTON LONDON LOS ANGELES MIAMI NEW YORK NORFOLK RICHMOND SAN FRANCISCO THE WOODLANDS TYSONS WASHINGTON, DC www.HuntonAK.com

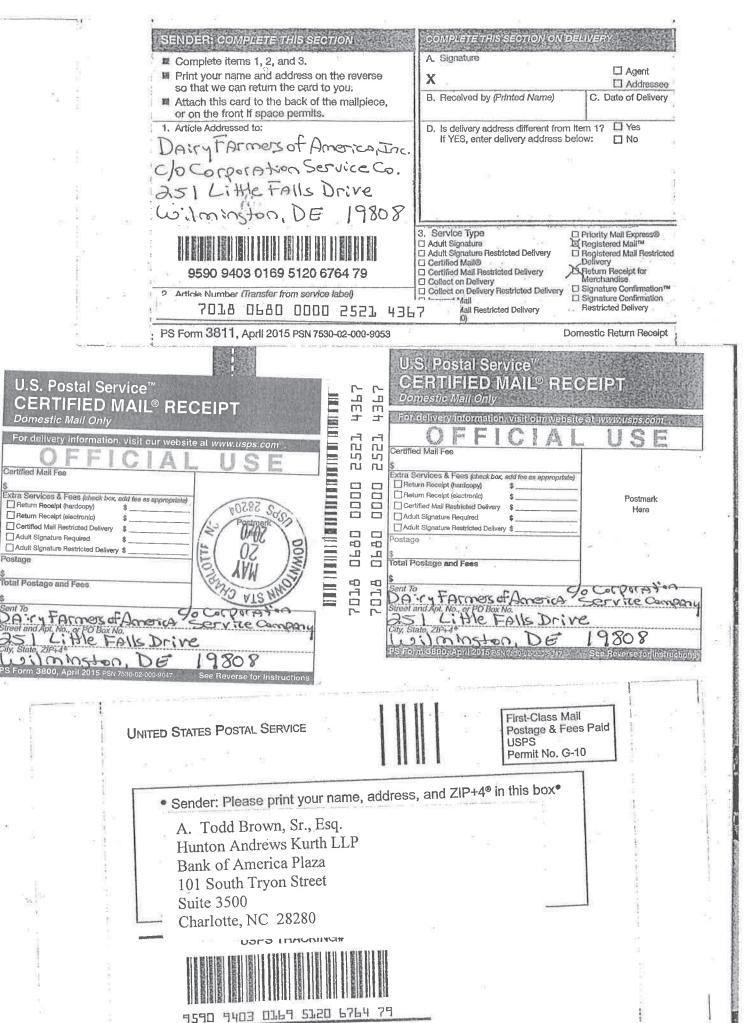


Dairy Farmers of America, Inc. May 20, 2020 Page 2

Sincerely,

rbara Evers/LEG Barbara Evers Senior Paralegal

Enclosures



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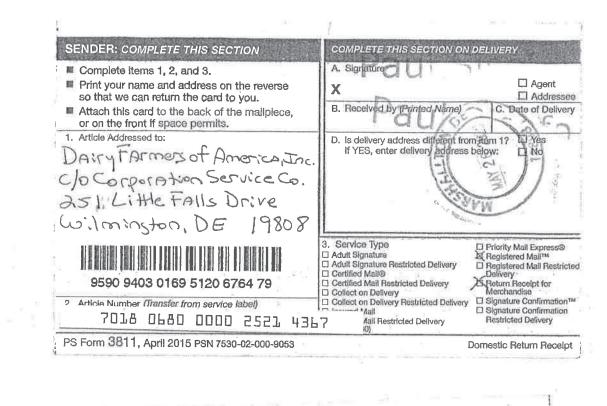
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Sender: Please print your name, address, and ZIP+4® in this box

A. Todd Brown, Sr., Esq. Hunton Andrews Kurth LLP Bank of America Plaza 101 South Tryon Street Suite 3500 Charlotte, NC 28280

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Your item was delivered at 8:38 am on May 26, 2020 in WILMINGTON, DE 19808.

## **Oblivered**

May 26, 2020 at 8:38 am Delivered WILMINGTON, DE 19808 -eedback

Get Updates ✓

### **Text & Email Updates**

**\** 

### **Tracking History**

May 26, 2020, 8:38 am

Delivered

WILMINGTON, DE 19808

Your item was delivered at 8:38 am on May 26, 2020 in WILMINGTON, DE 19808.

May 23, 2020, 10:33 am

Delivery Attempted - No Access to Delivery Location

WILMINGTON, DE 19808

May 23, 2020, 10:06 am Out for Delivery WILMINGTON, DE 19808 May 23, 2020, 9:55 am Arrived at Unit WILMINGTON, DE 19808 May 22, 2020, 6:53 pm Departed USPS Regional Facility WILMINGTON DE DISTRIBUTION CENTER May 22, 2020, 4:53 pm Arrived at USPS Regional Facility WILMINGTON DE DISTRIBUTION CENTER May 22, 2020 In Transit to Next Facility May 20, 2020, 9:38 pm Arrived at USPS Regional Facility CHARLOTTE NC DISTRIBUTION CENTER

### **Product Information**



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#### **FAQs**